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172A 3682 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

YASUhide ONOZAWA

Serial No.: 10/529,525

Filed: March 29, 2005

For: SURFACE MOUNT SAW DEVICE
MANUFACTURING METHOD

Art Unit: 2818

Examiner: Tran, Long K.

TRANSMITTAL OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Dear Sir:

Enclosed herein please find a Terminal Disclaimer to obviate a double patenting rejection over a pending other application No. 10/559,238, filed on December 1, 2005.

Respectfully submitted,

KODA & ANDROLIA

By: 

William L. Androlia

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Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (571) 273-8300 on September 27, 2006.


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TERMINAL DISCLAIMER

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P.O. Box 1450
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Dear Sir:

The owner, Toyo Communication Equipment Co., Ltd., of 100 percent interest in the instant application by assignment (Reel/Frame 017440/0834) hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior patent application No. 10/559,238. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed

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in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.
3. ☒ Please charge Deposit Account 11-1445 in the amount of \$130 to cover the Terminal disclaimer fee under 37 C.F.R. 1.20(d).

Date: September 27, 2006

By: 

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